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Summary record of the 11th meeting
Held at Headquarters, New York, on Monday, 18 October 2004, at 3 p.m.

Chairman: Mr. Swe ..... (Myanmar)

Contents

Agenda item 74: International cooperation in the peaceful uses of outer space (*continued*)

Agenda item 73: Effects of atomic radiation (*continued*)

Agenda item 20: Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (*continued*)

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The meeting was called to order at 3.15 p.m.

Agenda item 74: International cooperation in the peaceful uses of outer space (*continued*) (A/59/20 and A/C.4/59/L.7)

1. **Ms. Grant** (Canada) recalled Canada's rich history in space exploration, including satellites, participation in manned space flights and the robotic arms which played a key role in the work of space shuttles and the international space station. In a vast country like Canada, communications satellites played a key role in linking people and communities, and she noted the launch of the Anik F2, one of the most powerful communications satellites ever built, in July 2004. The Canadian Space Programme also included a strong space science component with over five decades of experience and particular expertise in upper atmospheric research, contributing to better understanding of the earth's environment and global climate change and helping manage natural resources and disasters. The soon to be launched Radarsat-2 satellite would maintain Canada's leadership in satellite technology.

2. The important role currently played in the world economy by communication, navigation and remote sensing satellites underscored the benefits to be gained from the peaceful uses of outer space; her Government would continue to actively support the work of the Committee on the Peaceful Uses of Outer Space (COPUOS). It would also continue to seek to ensure the security of its orbital assets while at the same time opposing the positioning of weapons in outer space. Recalling that in 1967 the United Nations had agreed that weapons of mass destruction must not be based in space, she said that the time had come to extend that ban to all weapons.

3. During the preceding three years, her delegation had been actively involved in supporting the work of the various action teams created to ensure the implementation of the recommendations of the Third United Nations Conference on the Exploration and Peaceful Uses of Outer Space (UNISPACE III) and she welcomed the extensive progress made thanks to that innovative mechanism. Canada had co-chaired the action team on disaster management and her delegation therefore fully supported the recommendation that a study be conducted on the possibility of establishing an international entity to provide coordination and ensure the most effective use of space-based services for disaster management.

4. **Mr. Song Se Il** (Democratic People's Republic of Korea) said that all Member States must be united in their opposition to the militarization of outer space. Despite the agreements reached within the framework of UNISPACE III, the deployment of spy and war equipment in outer space was intensifying. Denouncing other countries' satellite launches for peaceful purposes as "missile testing" could never justify the establishment of a missile defence system by a certain Member State bent on realizing its own military and strategic ambitions to dominate the world. Member States should make every effort to set up international legal mechanisms to prevent such militarization of outer space.

5. Outer space was the common possession of all nations and all countries and peoples must participate freely and equally in its peaceful exploration and uses. Attempts to monopolize the exploration of outer space or to maintain technological supremacy by hampering the activities of developing countries must not be tolerated. The developed countries should share the latest achievements in space technology with the developing countries, and all space programmes of the United Nations system must give priority to helping developing countries to develop their space technologies and benefit from the application of space technology to, inter alia, disaster management, remote sensing, distance education, environmental protection, and natural resource management.

6. **Mr. Ahmad Shabery** (Malaysia) welcomed the recommendation that the Libyan Arab Jamahiriya and Thailand should become members of COPUOS. He stressed his delegation's support for the role of the United Nations as the focal point for international cooperation in the peaceful exploration and use of outer space. Malaysia's National Space Agency was developing indigenous capacity while actively seeking effective partnerships through international cooperation to complement its own resources. International cooperation in outer space-related activities would help bring the benefits of space technologies to the peoples of the world. His delegation believed that further efforts to strengthen COPUOS and make it more effective.

7. Advances in space science and technology had increased the risk of the deployment of weapons into

outer space. In addition to posing a threat to the peaceful use of outer space, such weapons would add to the problem of space debris, posing an additional hazard to satellites and other launched space objects. An international agreement to prevent an arms race in outer space and prohibit the deployment of weapons in outer space should be concluded and the Committee should likewise establish a practical mechanism for coordinating its work with other relevant bodies, such as the Conference on Disarmament.

8. Malaysia was currently working on a second earth observation satellite developed in collaboration with the Republic of Korea, to be launched late in 2005; a mission control centre was being built to support the operations of that satellite as well as satellites in low-earth and medium-earth orbit, and the Malaysian centre for remote sensing ground receiving station, which had been operating since the end of 2003, would be the main receiving station for the new satellite. His Government had hosted several international space-related meetings, in particular on remote sensing applications in the area of education, Malaysia had initiated many space-related educational programmes. His Government was developing an astronaut programme, in conjunction with the Russian Federation, to launch a Malaysian astronaut into space. An extensive public awareness campaign had been implemented and was being well received. Malaysia was currently setting up a national observatory that would house a robotic, remotely accessed telescope, which would be completed by the end of 2005 and would be available for use by astronomers from anywhere in the world.

9. His delegation co-chaired action team 9 on implementation of the recommendations of UNISPACE III on improving knowledge-sharing; a questionnaire had been sent to Member States to assess current usage of satellite communications systems and 28 responses, mostly from the Asian, African and European regions, had been received. The survey had shown that most Member States regarded a satellite-based telecommunication systems as easy to implement and cost-effective for rural areas, but that commercial viability and the high cost of services remained major impediments. It appeared that government assistance would be required to overcome those impediments and address the issue of the digital divide in rural areas. The action team would continue its research, especially with regard to developing countries, before moving on to the next phase of its work.

10. With the successful maiden flight of Space Ship One, the age of commercialized space travel had begun. Several issues needed to be considered by the Committee, such as the status of space tourists and their vehicles in the context of current international treaties and conventions and the application of the Agreement on the Rescue of Astronauts, the Return of Astronauts and the Return of Objects Launched into Outer Space. His delegation would continue to contribute to regional and international initiatives for space cooperation in order to meet the goals of sustainable development.

Draft resolution A/C.4/59/L.7: International cooperation in the peaceful uses of outer space

Draft resolution contained in Annex II of the report of the Committee on the Peaceful Uses of Outer Space (A/59/20): Application of the concept of the "launching State"

11. **Mr. Ablodun** (Nigeria) speaking as Chairman of the working group of the whole on agenda item 74 and introducing the draft resolutions under that item, said that the draft resolution entitled "Application of the concept of the 'launching State'" was aimed at facilitating adherence to and the application of United Nations treaties on outer space, in particular the Liability Convention and the Registration Convention. The format and text of the draft resolution had been approved by the Legal Subcommittee and subsequently by COPUOS at its forty-seventh session. Draft resolution A/C.4/59/L.7 covered the work of COPUOS and its subsidiary bodies for the coming year. The text was similar to the resolution on the same issue adopted at the previous session, updated to reflect the current situation, including the addition of references to disaster management and environmental protection, the Fifth Space Conference of the Americas, support for the Johannesburg Plan of Implementation and follow-up to the World Conference on Disaster Reduction. It also provided for the Libyan Arab Jamahiriya and Thailand to become members of the Committee. The working group of the whole had agreed upon the texts of the two draft resolutions by consensus.

12. **Mr. Calderón** (Ecuador), referring to paragraph 22 of draft resolution A/C.4/59/L.7, requested that the

words "the second half of 2005 or in" be inserted following the words "to be held in Quito in".

13. **Mr. Maleki** (Islamic Republic of Iran), referring to paragraph 29 of draft resolution A/C.4/59/L.7, requested that the words "Islamic Republic of Iran," be inserted following the words "in Tehran".

14. **The Chairman** said he had been informed by the Secretariat that draft resolution A/C.4/59/L.7 contained no programme budget implications.

15. *Draft resolution A/C.4/59/L.7, as orally revised, was adopted.*

16. **The Chairman** said he had been informed by the Secretariat that the draft resolution entitled "Application of the concept of the 'launching State'" contained no programme budget implications.

17. *The draft resolution entitled "Application of the concept of the 'launching State'" was adopted.*

Agenda item 73: Effects of atomic radiation (*continued*) (A/59/46 and A/C.4/59/L.8)

18. **Mr. Fallou** (Syrian Arab Republic) reiterated his delegation's support for the work of the United Nations Scientific Committee on the Effects of Atomic Radiation; it was urgent that sufficient funding be provided to allow that Committee to meet its responsibilities and fulfil the mandate given to it by the Organization. Ionizing radiation should be used for peaceful purposes in areas such as medicine, industry and agriculture with a view to promoting development and providing benefits for humanity while at the same time protecting the environment. Accordingly, there should be no conditions placed on the transfer of nuclear technology to States which wished to use that technology for peaceful purposes; he called on developing countries to take advantage of nuclear technology solely for peaceful purposes.

19. His Government had always opposed the stockpiling of weapons, including nuclear weapons, which posed a threat to humanity. It had been one of the first countries to advocate that the Middle East should be declared a zone free of weapons of mass destruction, in particular nuclear weapons; it had signed the Non-Proliferation Treaty and complied with International Atomic Energy Agency (IAEA) safeguards. In December 2003 it had submitted a draft resolution to the Security Council calling for the declaration of the Middle East as a zone free of weapons of mass destruction, especially nuclear weapons, under international supervision, which would strengthen efforts for disarmament at the international level. In that context, he stressed that lack of supervision of Israel's nuclear facilities raised the possibility of a leak which could pose a threat to neighbouring countries and the world in general. The international community must exert pressure on Israel to place its nuclear facilities under IAEA safeguards, in accordance with Security Council resolution 487 (1981). He stressed that the negative effects of atomic radiation posed a danger to all the peoples of the world, a solution to that problem could be found only through international cooperation, good will and commitment.

20. **Mr. Lopez** (Cuba) said that the high quality of the Scientific Committee's reports enabled them to be used as reference documents for the adoption of national and international policies. The current report (A/59/46) contained a comprehensive review of the risks facing the offspring of persons who had been exposed to ionizing radiation which would assist in carrying out preventive action to diminish the impact of diseases stemming from inherited and environmental factors. Cuba was working with Ukraine to deal with the aftermath of the accident at Chernobyl. In 1990, a specialized hospital had been founded in Havana for that purpose, and more than 21,000 patients from the Russian Federation and Belarus had since been treated, including almost 18,000 children. In addition, a brigade of six Cuban doctors was working with the Amistad sanatorium in the Crimea to care for children from Chernobyl.

21. His delegation wished to stress the importance of maintaining and strengthening the cooperation between the Scientific Committee and the agencies and institutions of the United Nations system, and to reiterate that eliminating the dangers of ionizing radiation could be achieved only through broad cooperation on the peaceful uses of atomic energy.

22. **Ms. Tareo** (Marshall Islands) said that item 73 was of the utmost concern to the people of her country. Between 1946 and 1958, the United States of America had conducted a series of nuclear tests there, including the detonation of 67 atomic and hydrogen bombs. In March 2004, the Marshall Islands had commemorated the 50th anniversary of the Bravo test conducted at Bikini Atoll, a blast that had been 1,000 times more powerful than the atomic bomb that was dropped on

Hiroshima. The fallout had spread radioactive debris across the islands, and many persons continued to suffer from long-term health effects, while others remained displaced from their contaminated homes.

23. The Marshall Islands strongly supported the work of the Scientific Committee and its efforts to publicize its findings on the Internet. It fully supported that Committee's request for funding at the level originally requested for 2004 and 2005.

24. **Mr. Chaliha** (India) said that the effects of atomic radiation had immense implications for the health and well-being of occupational workers, people undergoing radiation therapy, and persons living in high-level natural radiation background areas, and for the environment. The worldwide distribution of radon and thoron in homes needed to be assessed, since new information had emerged regarding non-targeted effects of exposure. The confounding aspects needed to be carefully evaluated; the Committee should also analyse information regarding the effect of radiation on the environment, particularly on non-human biota. In that regard, his delegation requested the Scientific Committee to take note of the recently published report on the incidence of cancer in the high-level natural radiation background area of Kerala, which had not shown any alarming increase.

25. India appreciated the cooperation taking place between scientists from Belarus, Ukraine and the Russian Federation and their comparative analysis of data, based on a common methodology. In order to engage qualified scientists in different areas of radiation effect assessment, the Scientific Committee would need adequate budgetary support. Moreover, it must continue to hold its annual sessions to fulfil its mandate. India strongly recommended that the current funding should be increased to the level originally requested for the 2004-2005 biennium, and held at that level in future. Finally, he said that the availability on the Internet of documents of the Scientific Committee bore testimony to the scientific recognition and growing awareness of its work.

26. **Mr. Laohaphan** (Thailand), speaking on behalf of the States members of the Association of South-East Asian Nations (ASEAN), praised the work of the Scientific Committee over the years and welcomed its report (A/59/46). Lamenting the inadequate funding of the Scientific Committee's annual meetings the ASEAN hoped that sufficient funding would be provided for its fifty-third session in 2005. The Scientific Committee also needed the full support of all Member States, other United Nations bodies and other relevant international organizations. The ASEAN countries were encouraged by the closer cooperation in 2004 between the Scientific Committee and the World Health Organization (WHO), IAEA, the International Commission on Radiation Units and Measurements, the International Commission on Radiological Protection, the International Union of Radioecology, the Nuclear Energy Agency and other relevant international organizations and hoped that such cooperation would be further strengthened.

27. In 1995, the 10 ASEAN member States had created the South-East Asia Nuclear-Weapon-Free Zone with a view to promoting nuclear disarmament and nuclear non-proliferation, while reserving States parties' right to use nuclear energy for peaceful purposes, and enhancing international peace and security. The weapon-free zone was also intended to protect the region from environmental hazards posed by radioactive materials and waste.

28. In the light of the continuing threat of terrorism, and pursuant to Security Council resolution 1540 (2004), all ASEAN member countries were intensifying efforts at the national level to prevent weapons of mass destruction and related materials from falling into the hands of non-State actors. In the ASEAN Regional Forum Statement on Non-Proliferation, they had also pledged to enhance cooperation to prevent the proliferation of weapons of mass destruction and their means of delivery and related materials. In that connection, ASEAN supported the IAEA strengthened safeguards to ensure their protection and requested that assistance should be extended to States in the peaceful use of nuclear and radioactive materials, consistent with international safety and security standards.

29. **Mr. Melenevskyi** (Ukraine) said that his delegation was concerned by the inadequate funding for the Scientific Committee in the current biennium, which might affect the implementation of its approved programme of work, and urged that appropriate measures be taken. Ukraine had consistently supported the activities of that Committee, and continued to attach importance to its findings. It also welcomed official collaboration between that Committee and Ukrainian scientists that had resulted in intensified research on the health effects of the Chernobyl nuclear

accident, and hoped that ongoing comparisons of data, in accordance with a common methodology, would result in valuable recommendations. He drew attention to the joint initiative of Ukraine and other Member States to hold a commemoration of the 20th anniversary of the Chernobyl accident during the sixtieth session of the General Assembly in spring 2006. The Committee should consider inviting countries with special expertise in the field of atomic radiation to join its membership. Ukraine had significant scientific capacity in the area of radiological research, as well as a unique expertise in dealing with the effects of radiation, and therefore was in a position to make a valuable contribution to the work of the Committee.

30. **The Chairman** said that he had been informed that draft resolution A/C.3/59/L.8 had no programme budget implications. Armenia, Austria, Belarus, Cuba, Dominican Republic, Ecuador, Finland, Greece, Iceland, India, Israel, Malaysia, Malta, Netherlands, Norway, Russian Federation, and Uruguay become sponsors.

31. *Draft resolution A/C.4/59/L.8 was adopted.*

Agenda item 20: Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (*continued*)

Draft resolution A/C.4/59/L.4: Question of Western Sahara

32. **Mr. Baali** (Algeria) reminded the Committee that at its 10th meeting, on 14 October, it had decided to give delegations additional time to work together to achieve a text that would be acceptable to all. Various meetings had been held, and proposals by the Chairman and the Netherlands had been incorporated into the text. Algeria continued to hope the Committee would stand united on the question of Western Sahara, and that the draft resolution would be adopted without a vote. Clearly, if the other party chose not to join the consensus, the draft resolution would have to be put to a vote.

33. **Mr. Bennouna** (Morocco) said that an earlier proposal had also been made by the European Union, and Algeria had rejected it without discussion. Morocco was open to dialogue. Unfortunately, the main question remained the same: whether Algeria was prepared to accept the decision of the Secretary-General of 11 June 2004 to ask Mr. Alvaro de Soto to take the place of Mr. James A. Baker III, and to pursue a political solution that would be acceptable to all the States in the region. The answer was no. If the answer were yes, Morocco was prepared to join the consensus at once. It could not accept any blocking of the political process, fully respected the advisory opinion offered by the Legal Counsel at the 10th meeting, and suggested that the Committee should proceed to a vote.

34. **Mr. Baali** (Algeria) called the Committee's attention to paragraph 5 of the draft resolution, which expressed the proposal that had been made by the Netherlands. It seemed that Morocco had changed its mind.

35. **Mr. Bennouna** (Morocco) said that everyone was aware of the situation; no one could be misled. The question was, would the parties allow the Secretary-General and Mr. de Soto to pursue efforts to achieve a political solution and break the impasse, or would they not.

36. **The Chairman** said that the Solomon Islands and Suriname had joined the sponsors of the draft resolution. He drew the Committee's attention to a number of editorial changes. In preambular paragraph 3, the date named should be 17 December 2004. In operative paragraphs 8 and 9, the words "fifty-ninth session" should be changed to "sixtieth session".

37. **Mr. Bennouna** (Morocco), explaining his delegation's position, said that Algeria's request for a vote on a draft resolution that made no mention of the Special Representative of the Secretary-General for Western Sahara, Mr. Alvaro de Soto, reflected its deliberate decision to block efforts to find a mutually acceptable political solution, despite its vote on 29 April in favour of Security Council resolution 1541 (2004), which called on the Secretary-General and his Personal Envoy to continue their efforts. Indeed, following the resignation of Mr. James A. Baker III on 1 June, the Secretary-General, in a letter dated 11 June 2004 addressed to the President of the Security Council (S/2004/492), had indicated that in his capacity as Special Representative for Western Sahara, Mr. Alvaro de Soto would continue to work with the parties, and neighbouring countries, in pursuit of a just, lasting and mutually acceptable political solution. Algeria had chosen to deny Mr. De Soto the opportunity to fulfil his role as mediator. It thus bore a heavy responsibility for blocking the pursuit of a political solution and its effort

to sabotage that process not only stood in glaring contradiction to its vote in favour of Security Council resolution 1541 (2004) but was also inappropriate on the part of a Security Council member at a time when Mr. De Soto was to submit his report to the Council on the work of his assessment mission.

38. In his meeting with Mr. De Soto on 6 September, His Majesty King Mohammed VI had reaffirmed Morocco's commitment to continue cooperating with the United Nations and the other parties in pursuit of a mutually acceptable political solution. In a telephone conversation with the Secretary-General the day before, His Majesty the King had reiterated that same willingness to work with the Secretary-General and his Special Representative, Mr. De Soto, to reach a negotiated political solution as soon as possible.

39. By abstaining on the draft resolution submitted by Algeria, Committee members would show their support for the Secretary-General and his Special Representative, Mr. De Soto, in their efforts to find a negotiated and mutually acceptable political solution.

40. **Mr. Badji** (Senegal) said that Senegal supported all the efforts made by the Secretary-General and his Special Representative to help the parties concerned reach a mutually acceptable settlement that would be in the legitimate interests of the people of the Maghreb but that because any reference to the important role of the Secretary-General's Special Representative had been deliberately omitted from the draft resolution, his delegation would abstain from any vote on it.

41. **Mr. Sow** (Guinea) said that the draft resolution gave the unfortunate impression that the Committee would not support the ongoing efforts by the Secretary-General and his Special Representative to bring about a negotiated settlement. His delegation would therefore abstain if it was put to a vote.

42. **The Chairman** said that according to the rules of procedure as explained at the previous meeting by the Legal Counsel, and in view of the fact that no consensus had been reached, the Committee had no other recourse but to vote on draft resolution A/C.4/59/L.4, as orally revised.

43. **Mr. Zhang** (Secretary of the Committee) informed the Committee that the Solomon Islands and Suriname had joined the sponsors and that the Bahamas, Barbados, the Lao People's Democratic Republic, Niger and Saint Kitts and Nevis had withdrawn their sponsorship.

44. *A recorded vote was taken.*

In favour:

Algeria, Angola, Antigua and Barbuda, Armenia, Bahamas, Barbados, Belize, Bolivia, Botswana, Burundi, Cambodia, China, Colombia, Cuba, Dominica, El Salvador, Ethiopia, Fiji, Grenada, Guyana, Honduras, Jamaica, Kenya, Lao People's Democratic Republic, Lesotho, Liberia, Malaysia, Mauritius, Mexico, Micronesia (Federated States of), Mozambique, Myanmar, Namibia, Nauru, Nigeria, Palau, Panama, Papua New Guinea, Russian Federation, Rwanda, Saint Kitts and Nevis, Saint Lucia, South Africa, Suriname, Timor-Leste, Trinidad and Tobago, Uganda, United Republic of Tanzania, Venezuela, Viet Nam, Zambia, Zimbabwe.

Against:

None.

Abstaining:

Andorra, Argentina, Australia, Austria, Azerbaijan, Bahrain, Bangladesh, Belgium, Benin, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Cameroon, Canada, Central African Republic, Chile, Comoros, Costa Rica, Croatia, Cyprus, Czech Republic, Denmark, Ecuador, Egypt, Estonia, Finland, France, Gabon, Georgia, Germany, Greece, Guatemala, Guinea, Hungary, Iceland, India, Indonesia, Ireland, Israel, Italy, Japan, Jordan, Kazakhstan, Kuwait, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Monaco, Mongolia, Morocco, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Norway, Oman, Pakistan, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, San Marino, Saudi Arabia, Senegal, Serbia and Montenegro, Singapore, Slovakia, Slovenia, Spain, Sri Lanka, Sweden, Switzerland, Thailand, Turkey, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Yemen.

45. *Draft resolution A/C.4/59/L.4 was adopted by 52 votes to none, with 89 abstentions.*

46. **Mr. Chungong Ayafor** (Cameroon), speaking in explanation of vote after the voting, said that his delegation had abstained because it would have preferred a consensus text. Cameroon, which maintained good relations with all the parties concerned, hoped that they would continue to negotiate to achieve a mutually acceptable solution in order to preserve peace in the subregion and in Africa.

47. **Mr. Ang** (United States of America) said that in the absence of a consensus document, the United States had been unable to support the draft resolution. The rhetoric that had emerged during its discussion was disappointing: any solution to the Western Sahara conflict would require a commitment to compromise by the parties and the States in the region. The United States applauded the work of the Secretary-General's Personal Envoy, who over the past seven years had succeeded in crystallizing areas of agreement and identifying areas of continued disagreement, thereby providing the foundation on which current United Nations efforts must rest. His Government would now continue to consult closely with the Secretary-General and his Special Representative, and hoped that all parties and States of the region would also cooperate fully.

48. **Mr. Duarte** (Brazil) said that his delegation had abstained because a non-consensus text that compelled the Committee to resort to a vote did not reflect the spirit that must guide the peace process and would not advance it in any way. His delegation's vote should not, however, be interpreted as an indication of preference with regard to the future of the peace process, nor should the adoption of the draft resolution constitute an obstacle to successful negotiations. Brazil reiterated its support for the peace plan as set out in the two most recent Security Council resolutions on the matter, and it supported the efforts and role of the Secretary-General in achieving a mutually acceptable political solution that guaranteed the self-determination of the Saharan people.

49. **Mr. Myaing** (Myanmar) said that he regretted that the Committee had had to resort to a vote on what had traditionally been a consensus text, especially when the Security Council had reached consensus on its own resolution 1541 (2004) on the same issue. Because of Myanmar's strong support for the right to self-determination of the peoples of Non-Self-Governing Territories, his delegation had voted in favour of the draft resolution. It hoped that both parties would continue to cooperate with the United Nations in pursuit of a just, lasting and mutually acceptable political solution.

50. **Mr. van den Berg** (Netherlands), speaking on behalf of the European Union and the candidate country, Turkey, said that the member States of the European Union as well as Turkey had abstained from the vote because of the lack of consensus on the draft resolution. It supported a just, lasting and mutually acceptable political solution which would provide for the self-determination of the people of Western Sahara, as most recently envisaged in the two resolutions adopted unanimously by the Security Council, and they encouraged the parties concerned to work in that direction. They appreciated the tireless efforts of the former Personal Envoy of the Secretary-General, and supported the new Special Representative of the Secretary-General, whose responsibility it was to continue to work with the parties in pursuit of a solution.

51. The European Union and Turkey remained deeply concerned about certain pressing humanitarian aspects of the conflict in Western Sahara: the Frente Popular para la Liberación de Saguia el-Hamra y de Río de Oro (Frente POLISARIO) should release without further delay all remaining prisoners of war; all parties should assist the International Committee of the Red Cross (ICRC) in determining the fate of those unaccounted for since the beginning of the conflict, and should collaborate with the Office of the United Nations High Commissioner for Refugees (UNHCR) on family reunification. Such measures would build mutual confidence and advance the resolution of a conflict that had gone on for too long, resulted in too many victims, weighed down the United Nations system, and stood in the way of lasting peace in the region.

52. **Mr. Sinaga** (Indonesia) observed that because the two delegations concerned had been unable to reach consensus through dialogue and cooperation, the Committee had been forced to vote on a contested text. Indonesia, which continued to support the principle of self-determination and a comprehensive solution to the question of Western Sahara, had abstained from the vote, a fact which should not be interpreted as being in favour of either of the parties. In the future, the two delegations should strive to reach a compromise that would lead to a comprehensive settlement.

53. **Mr. Yamamoto** (Japan) said that his delegation had abstained because, regrettably, the expected consensus between the parties had not been reached.

54. **Mr. Awad** (Egypt) said that his delegation had abstained, in the conviction that it was necessary to deal with all aspects of the dispute through direct dialogue between the parties, so as to reach a solution that would permit the people of Western Sahara to live in a climate of understanding that would be favourable to the country's development.

55. **Ms. Alfaro** (El Salvador) said that her delegation had voted in favour of the draft resolution because of the international community's abiding interest in a settlement of the question of Western Sahara. The United Nations had an important role to play in furthering negotiations on a just, lasting and mutually acceptable solution in accordance with the peace plan outlined in the Secretary-General's report to the Security Council (S/2003/565 and Corr.1) and in the pertinent resolutions of the Security Council. Her delegation urged the parties directly involved to work together to implement the agreed undertakings.

56. **Ms. Bolaños-Pérez** (Guatemala) said that the peace plan, as outlined in the two latest Security Council resolutions on the question of Western Sahara and as endorsed by the Secretary-General and his Special Representative, had to be accepted by all the parties concerned. In the absence of such agreement with respect to the draft resolution on the question, her delegation had opted to abstain from voting.

57. **Mr. Maquieira** (Chile), regretting the failure to produce a text acceptable to all, said that his delegation had abstained from the vote because it did not want to compromise the position it had taken in the Security Council in adopting resolution 1541 (2004). Its abstention should not, however, be interpreted as a taking of position on the peace process, on which negotiations must continue until it was successfully concluded.

58. **Mr. Smirnov** (Russian Federation) said that, while regretting the departure from the traditional consensus, his delegation had voted in favour of the draft resolution because of his Government's position of principle that a peaceful solution to the question of Western Sahara must be found through political means, in accordance with Security Council resolutions. The Russian Federation supported the efforts of the Secretary-General and his Special Representative to achieve a mutually acceptable solution on the basis of the consensus resolutions of the General Assembly and the unanimous resolutions in which the Security Council had declared its support for the Secretary-General and his Personal Envoy, and for the peace process.

59. **Ms. Grant** (Canada), speaking on behalf also of Australia and New Zealand, said that their delegations had abstained because there had been no agreement between the parties concerned on a consensus text. Canada, Australia and New Zealand continued to support a negotiated settlement and all United Nations efforts to that end.

60. **Mr. Melenevskyi** (Ukraine) said that the vote just taken, which ran counter to the established tradition of consensus on draft resolutions on the question of Western Sahara, had not advanced the achievement of a just, lasting and mutually acceptable political solution that would provide for the self-determination of the people of Western Sahara in a manner consistent with the Charter of the United Nations. His delegation had therefore decided to abstain.

61. **Mr. Ahmad** (Pakistan) deplored the fact that the delegations concerned had not reached a consensus on a text that could have given momentum to the many General Assembly and Security Council resolutions on the question of Western Sahara. His delegation's abstention from the vote should not be interpreted, however, as favouring either party to the dispute. Pakistan supported self-determination for the people of Western Sahara in accordance with the pertinent Security Council resolutions, and negotiations to that end should continue.

62. **Mr. Baali** (Algeria) said that the Committee had once again expressed its view, in a fully democratic process, in favour of the right of the Saharan people to self-determination. Morocco had just provided bloody evidence of its territorial aspirations and its attitude. Its Permanent Representative had expounded on that position the previous week with surprising aplomb, affirming that Western Sahara belonged to Morocco and that it did not need recognition by the international community, in defiance of international law. The Moroccan statement had also reconfirmed the reality that Morocco, entangled in its own contradictions, its repeated about-faces and its persistent actions, was the only country not to see that Western Sahara was a case of unfinished decolonization whose solution lay in the

exercise of the right of the Saharan people to self-determination. At the same time, it had confirmed the rightness and justness of the combat by the heroic people of Western Sahara, who had chosen the path of peace and legality by laying down their weapons and turning to the United Nations in order to realize their legitimate rights, certain that the dynamics of history would work in their favour and ultimately prevail.

63. The Committee had clearly reaffirmed that the question of Western Sahara was a case of decolonization under resolution 1514 (XV) and reiterated its support for the Peace Plan for the Self-Determination of the People of Western Sahara unanimously endorsed by Security Council resolutions 1495 (2003) and 1541 (2004), which his delegation would not reconsider, contrary to the hopes of the delegation of Morocco. He wished to thank the resolution's 42 sponsors, from every continent, for supporting the Saharan cause, and the members of the Committee and the Chairman who had worked so hard to achieve a consensus. From the Atlantic to the Pacific, from Timor-Leste to Western Sahara, Algeria had always supported the self-determination of peoples. That a country should occupy another fraternal country on the pretext of immemorial rights was strangely reminiscent of another country's invocation of Biblical rights to justify its occupation of territories that did not belong to it.

64. **Mr. Bennouna** (Morocco) said that the time for polemics was over. The vote had been taken and he wished to thank all those who, in abstaining, had shown their support for the Secretary-General, the Security Council, and the legality of the United Nations. It was a great day for the United Nations.

65. **The Chairman** expressed deep regret that a solution acceptable to all parties could not be reached and that the Committee, in a departure from tradition, had had to take a vote on the resolution. The delegations of both Algeria and Morocco had cooperated fully with him; however, at the point where he thought it might be possible to continue the tradition and reach a consensus, they had both explained that the differences on the issue were substantive.

Draft resolution IV: Question of New Caledonia (A/59/23, p. 81)

66. **Mr. Ovia** (Papua New Guinea), explaining his delegation's position, said that Papua New Guinea believed in the right to self-determination of all the remaining Non-Self-Governing Territories, including New Caledonia, and following consultations with the delegation of France, proposed the following amendment to paragraph 8: the words "of all New Caledonians, especially the indigenous Kanak people", should be deleted and replaced by "and identity of all sectors of the population,".

67. *Draft resolution IV, as orally revised, was adopted.*

68. **Mr. Boispean** (France), speaking in explanation of vote after the voting, thanked all delegations, especially the delegation of Papua New Guinea, for their efforts and the Special Committee, which had facilitated its adoption. France welcomed the version that had just been adopted by consensus and hoped that the positive spirit it embodied would continue in the future.

Draft decision A/C.4/59/L.2/Rev.1: Increase in the membership of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples

69. *Draft decision A/C.4/59/L.2/Rev.1 was adopted by consensus.*

70. **Mr. Gregoire** (Dominica), speaking in explanation of vote after the voting, thanked all delegations for supporting the decision just adopted by consensus, and in particular, Papua New Guinea for its initiative in sponsoring the draft decision. Its adoption was very important to his delegation and to his Government. Dominica would endeavour to fulfil its obligations as a member of the Special Committee and to contribute to ensuring the self-determination of Non-Self-Governing Territories.

The meeting rose at 5.40 p.m.